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99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-653

COMPLETED 41 ORIGINAL

PROVIDING FOR THE CONSIDERATION OF H.R. 5052

JUNE 24, 1986.—Referred to the House Calendar and ordered to be printed

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Mr. BONIOR of Michigan, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 481]

The Committee on Rules, having had under consideration House Resolution 481, by nonrecord vote, report the same to the House with the recommendation that the resolution do pass.

The following is the text of title II as proposed by Representative McCurdy of Oklahoma which shall be considered to be part of the bill H.R. 5052 under House Resolution 481.

Redesignate the existing provisions of the bill as title I and add the following new title II at the end of the bill:

TITLE II

PURPOSES

SEC. 201. The purposes of this title are—

(1) to promote economic and political development, peace, stability, and democracy in Central America;

(2) to encourage a negotiated resolution of the conflict in the region;

(3) to demonstrate United States support for and confidence in the objectives being pursued by the democratic countries in Central America for their countries and for the region; and

(4) towards these ends, to enable the President to provide appropriate assistance for the Nicaraguan democratic resistance, subject to the terms and conditions of this title.

POLICY TOWARD CENTRAL AMERICA

SEC. 202. (a) It is the policy of the United States that—

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(1) the building of democracy, the restoration of peace, the encouragement of economic development, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American states;

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America; and

(3) the September 1983 Contadora Document of Objectives, which sets forth a framework for negotiating a peaceful settlement to the conflict and turmoil in the region, is to be encouraged and supported.

(b) The United States—

(1) expressed its confidence in the abilities of the Governments of El Salvador, Guatemala, Honduras, and Costa Rica to negotiate a peaceful resolution to the conflict in Central America that protects and promotes the political and security interests of the region and United States interests in the region; and

(2) strongly supports as essential to the objectives set forth in subsection (a)—

(A) national reconciliation in all countries in the region, and especially the creation of a framework for negotiating a peaceful, democratic settlement to the conflicts in Nicaragua and El Salvador; and

(B) efforts to reach a comprehensive and verifiable final agreement based on the Contadora Document of Objectives, including efforts to encourage the Government of Nicaragua to pursue a dialogue with the representatives of all elements of the Nicaraguan democratic opposition for the purposes of achieving a democratic political settlement of the conflict, including free and fair elections.

POLICY TOWARD THE GOVERNMENT OF NICARAGUA

SEC. 203. (a) United States policy toward Nicaragua shall be based upon Nicaragua's responsiveness to continuing concerns affecting the national security of the United States and Nicaragua's neighbors about—

(1) Nicaragua's close military and security ties to Cuba and the Soviet Union and its Warsaw Pact allies, including the presence in Nicaragua of military and security personnel from those countries;

(2) Nicaragua's buildup of military forces in numbers disproportionate to those of its neighbors and equipped with sophisticated weapons systems and facilities designed to accommodate even more advanced equipment;

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(3) Nicaragua's unlawful support for armed subversion and terrorism directed against the democratically elected governments of other countries;

(4) Nicaragua's internal repression and lack of opportunity for the exercise of civil and political rights which would allow the people of Nicaragua to have a meaningful voice in determining the policies of their government through participation in regularly scheduled free and fair elections and the establishment of democratic institutions; and

(5) progress toward a peaceful resolution of the conflict in Central America based upon the comprehensive implementation of the September 1983 Contadora Document of Objectives.

(b) The United States will address the concerns described in subsection (a) through economic, political, and diplomatic measures, as well as through support for the Nicaraguan democratic resistance. In order to assure every opportunity for a peaceful resolution of the conflict in Central America, if the Central American countries have concluded an agreement based on the Contadora Document of Objectives or Nicaragua takes other significant steps to reduce the conflict in the region, the United States will limit the types and amounts of assistance provided to the Nicaraguan democratic resistance and take other positive action in response to steps taken by the Government of Nicaragua toward meeting the concerns described in subsection (a). Particular attention will be paid to whether—

(1) freedom of speech, assembly, religion, and political activity are being respected in Nicaragua and progress is being made toward the holding of regularly scheduled free and fair elections;

(2) there has been a halt to the flow of arms and the introduction of foreign military personnel into Nicaragua, and a withdrawal of all foreign military personnel has begun;

(3) a cease-fire with the Nicaraguan democratic resistance is being respected; and

(4) Nicaragua is refraining from acts of aggression, including support for insurgency and terrorism in other countries.

(c) The actions by the United States under this title in response to the concerns described in subsection (a) are consistent with the right of the United States to defend itself and to assist its allies in accordance with international law and treaties in force. Such actions are directed, not to determine the form or composition of any government of Nicaragua, but to achieve a comprehensive and verifiable agreement among Central American countries, based upon the 1983 Contadora Document of Objectives, including internal reconciliation within Nicaragua, based upon democratic principles, without the use of force by the United States. Nothing in this title shall be construed as authorizing any member or unit of the Armed Forces of

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the United States to engage in combat against the Government of Nicaragua.

POLICY TOWARD THE NICARAGUAN DEMOCRATIC RESISTANCE

SEC. 204. (a) The United States shall assist only those groups within the Nicaraguan democratic resistance which—

(1) are committed to work together for democratic national reconciliation in Nicaragua based on the document issued by the six Nicaraguan opposition parties on February 7, 1986, entitled "Proposal to the Nicaraguan Government for a Solution to the Crisis in Our Country"; and

(2) respect international standards of conduct and refrain from violations of human rights or from other criminal acts.

(b) No assistance under this title may be provided to any group that retains in its ranks any individual who has been found to engage in—

(1) gross violations of internationally recognized human rights (as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961); or

(2) drug smuggling or significant misuse of public or private funds.

(c) The President shall use the authority provided by this title to encourage the Nicaraguan democratic resistance to take additional steps to strengthen its unity, increase the responsiveness of military forces to civilian leadership, pursue a defined and coordinated program for representative democracy in Nicaragua, and otherwise increase its appeal to the Nicaraguan people.

(d) In furtherance of the policy set out in this section, not less thasn $10,000,000 of the funds transferred under section 205(a) shall be available only for assistance to resistance groups otherwise eligible and not currently included within the United Nicaraguan Opposition (UNO), such assistance to be provided according to their needs and contribution to the resistance. In carrying out this subsection, not less than $5,000,000 of the funds made available pursuant to this subsection shall be available only for the Southern Opposition Bloc (BOS) and not less than $5,000,000 shall be available only for the Indian resistance force known as Misurasata.

(e) Notwithstanding any other provision of this title, no member of the United States Armed Forces, or employee of any department, agency, or other component of the United States Government may enter Nicaragua to provide military advice, training, or logistical support to paramilitary groups operating inside that country.

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TRANSFER OF FUNDS

SEC. 205. (a)(1) The Congress hereby approves the provision of assistance for the Nicaraguan democratic resistance in accordance with the provisions of this title.

(2) There are transferred to the President for use in carrying out the provisions of this title (other than section 214, relating to additional economic assistance for Central American democracies) $100,000,000 of unobligated funds from such accounts for which appropriations were made by the Department of Defense Appropriations Act, 1986 (as contained in Public Law 99-190), as the President shall designate. No limitation or restriction contained in section 10 of Public Law 91-672, section 8109 of the Department of Defense Appropriations Act, 1986, section 502 of the National Security Act of 1947, or any other provision of law shall apply to the transfer or use of such funds.

(b) Funds transferred under subsection (a) shall remain available for the same periods of time, but not beyond September 30, 1987, as such funds would have been available under the Department of Defense Appropriations Act, 1986 (as contained in Public Law 99-190), but for the enactment of this title.

(d)(1) There are transferred to the President, out of the $2,000,000 appropriated by the Supplemental Appropriations Act, 1985 (Public Law 99-88), under the heading "ASSISTANCE FOR IMPLEMENTATION OF A CONTADORA AGREEMENT", such sums as the President may require to facilitate the participation of Costa Rica, El Salvador, Guatemala, and Honduras in regional meetings and negotiations to promote peace, stability, and security in Central America. No limitation or restriction contained in section 15 of the State Department Basic Authorities Act of 1956, section 10 of Public Law 91-672, or any other provision of law shall apply to the transfer or use of such funds.

(2) Funds transferred under paragraph (1) shall remain available for the same period of time as such funds would have been available under the Supplemental Appropriations Act, 1985 (Public Law 99-88), but for the enactment of this title.

COORDINATION OF ASSISTANCE TO THE NICARAGUAN DEMOCRATIC RESISTANCE

SEC. 206. The Secretary of State (or his designee) shall be responsible for policy guidance, coordination, and supervision of United States Government activities under this title.

APPLICATION OF EXISTING LAWS; LIMITATION ON USE OF CIA RESERVES FOR CONTINGENCIES

SEC. 207. (a) Except as otherwise provided in this title, funds transferred under section 205(a) shall be available for the purpose described in section 105(a) of the Intelli-

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gence Authorization Act for Fiscal Year 1986, and all the requirements, terms, and conditions of such section and sections 101 and 102 of such Act, section 502 of the National Security Act of 1947, and section 106 of the Supplemental Appropriation Act, 1985 (Public Law 99-88), shall be deemed to have been met for such use of such funds.

(b) The use of funds made available under this title is subject to all applicable provisions of law and established procedures relating to the oversight by the Congress of operations of departments and agencies.

(c) Nothing in this title shall be construed as permitting the President to furnish additional assistance to the Nicaraguan democratic resistance from funds other than the funds transferred under section 205(a) or otherwise specifically authorized by the Congress for assistance to the Nicaraguan democratic resistance.

(d) Funds from the Reserve for Contingencies of the Central Intelligence Agency may not be used to provide assistance for the Nicaraguan democratic resistance unless the use of those funds for that purpose is specifically approved by the Congress.

UNITED STATES POLICY AND USE OF FUNDS AFTER A PEACEFUL SETTLEMENT

SEC. 208. If the President determines and so reports to the Congress that a peaceful settlement of the conflict in Central America has been reached—

(1) the unobligated balance, if any, of funds transferred under section 205(a) shall be available for the purposes of relief, rehabilitation, and reconstruction in Central American countries in accordance with the authorities contained in chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to economic support fund assistance);

(2) Executive order 12513 of May 1, 1985, and the sanctions imposed with respect to Nicaragua pursuant to that Executive order, shall cease to be effective; and

(3) the United States shall take such other actions as are appropriate to encourage the economic and political development of the countries of Central America, including Nicaragua.

INCENTIVES FOR A NEGOTIATED SETTLEMENT

SEC. 209. (a) Assistance under this title for the Nicaraguan democratic resistance shall be provided in a manner designed to encourage the Government of Nicaragua to respond favorably to the many opportunities available for achieving a negotiated settlement of the conflict in Central America. These opportunities include the following proposals:

(1) Six opposition Nicaraguan political parties on February 7, 1986, called for an immediate case-fire, an effective general amnesty, abolition of the state of

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emergency, agreement on a new electoral process and general elections, effective fulfillment of international commitments for democratization, and observance of implementation of these actions and commitments by appropriate international groups and organizations;

(2) President Reagan on February 10, 1986, offered simultaneous talks between the Government of Nicaragua and all elements of the Nicaraguan democratic opposition in Nicaragua and between the Government of Nicaragua and the United States Government;

(3) President Jose Napoleon Duarte of El Salvador on March 5, 1986, offered an additional dialogue between the Government of El Salvador and the insurgents in El Salvador if the Government of Nicaragua would simultaneously engage in a dialogue with all elements of the Nicaraguan democratic opposition; and

(4) President Reagan's Message to the Congress of March 19, 1986, proposed a mission to Latin America by his special envoy to encourage the Contadora and Support Group countries to join in urging the Government of Nicaragua to initiate a national dialogue with representatives of all elements of the Nicaraguan democratic opposition.

(b)(1) Of the amounts transferred under section 205(a), $30,000,000 shall be available only for the provision to the Nicaraguan democratic resistance of the following:

(A) assistance of the types authorized by section 722(g) of the International Security and Development Cooperation Act of 1985, provided by the Nicaraguan assistance office established by Executive Order 12530;

(B) logistics advice and assistance;

(C) support for democratic political and diplomatic activities; and

(D) training in radio communications, collection, and utilization of intelligence, logistics, and small-unit skills and tactics.

(2) Of the $30,000,000 specified in paragraph (1), $3,000,000 shall be available only for strengthening programs and activities of the Nicaraguan democratic resistance for the observance and advancement of human rights.

(3) In furtherance of the objectives set forth in subsection (a), none of the funds authorized to be transferred by section 205(a), except the $30,000,000 specified in paragraph (1), may be obligated or expended for assistance to the Nicaraguan democratic resistance unless the conditions specified in subsection (c) are met.

(c) The restriction in subsection (b)(3) shall cease to apply on and after October 1, 1986, if—

(1) the President has determined and reported to the Congress that—

(A) the Central American countries have not concluded a comprehensive and effective agree-

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ment based on the Contadora Document of Objectives,

(B) the Government of Nicaragua is not engaged in a serious dialogue with representatives of all elements of the Nicaraguan democratic opposition, accompanied by a cease-fire, leading to regularly scheduled free and fair elections and the establishment of democratic institutions, or is not taking other significant steps to de-escalate the conflict;

(C) the democratic countries of Latin America and Western Europe have not made a significant effort to induce the Government of Nicaragua to enter into such agreement, dialogue, and cease-fire; and

(D) there is no reasonable prospect of achieving such agreement, dialogue, and cease-fire through further diplomatic measures, multilateral or bilateral, without additional assistance to the Nicaraguan democratic resistance; and

(2) the Congress has enacted under section 210 a joint resolution approving the provision of assistance to the Nicaraguan democratic resistance under this title without regard to the restriction in subsection (b)(3).

(d) Upon the enactment of a joint resolution pursuant to subsection (c)(2), $25,000,000 of the funds transferred under section 205(a) shall be available for obligation and expenditure in accordance with this title (in addition to the funds provided for in subsection (b)(1)). Upon the transmittal after the enactment of that joint resolution of each report required by section 212, an additional $15,000,000 of those funds shall be available for obligation and expenditure in accordance with this title.

(e) If the conditions specified in subsection (c) are met, assistance to the Nicaraguan democratic resistance under this title (other than the assistance provided for in subsection (b)(1)) shall no longer be provided if at any time—

(1) the President determines that—

(A) the Central American countries have concluded a comprehensive and effective agreement based on the Contadora Document of Objectives; or

(B) the Government of Nicaragua is engaging in a serious dialogue with representatives of all elements of the Nicaraguan democratic opposition, accompanied by a cease-fire, leading to regularly scheduled free and fair elections and the establishment of democratic institutions, or taking other significant steps to de-escalate the conflict; or

(2) the Congress enacts under section 210 a joint resolution disapproving the provision of assistance to the Nicaraguan democratic resistance under this title (other than the assistance provided for in subsection (b)(1)).

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(f)(1) Notwithstanding any other provision of this title, on or after October 1, 1986, funds may be obligated or expended for assistance under this title for a Nicaraguan democratic resistance group only if the President determines and reports to the Congress that—

(A) that group has agreed upon a program of principles and objectives directed toward the attainment of democracy in Nicaragua, such program to include a plan to provide a significant measure of autonomy for Nicaraguan Indians;

(B) that group has instituted full and adequate human rights-related training programs;

(C) that group has removed from its ranks all persons responsible for past human rights abuses in Nicaragua;

(D) that group has established procedures to ensure severe punishment of any person within that group who commits human rights abuses in the future; and

(E) in the case of the groups currently within the United Nicaraguan Opposition (UNO), the United Nicaraguan Opposition has been restructured to allow complete and balanced representation of all democratic opposition forces within that organization and to ensure full subordination of military commanders to the political leadership, as required in the communique signed by the United Nicaraguan Opposition directorate in Miami, Florida, on May 29, 1986.

(2) In making his determination under subparagraph (E) of paragraph (1), the President shall take into account the effectiveness and legitimacy of the political leadership of the United Nicaraguan Opposition, including the ability of that political leadership—

(A) to reflect the views and objectives of the internal and external Nicaraguan democratic opposition;

(B) to function as the spokesman for the Nicaraguan democratic opposition with Central Americans, international organizations, and the United States Government; and

(C) to represent the Nicaraguan democratic opposition in dealing with the Government of Nicaragua.

EXPEDITED PROCEDURES FOR CONGRESSIONAL ACTION

SEC. 210. (a)(1) A joint resolution described in subsection (c)(2) of section 209 shall be one without a preamble, the matter after the resolving clause of which is as follows: "That pursuant to section 209(c) of the Military Construction Appropriations Act, 1987, the Congress approves the provision of assistance to the Nicaraguan democratic resistance pursuant title II of that Act without regard to the restriction in section 209(b)(3).".

(2) A joint resolution described in subsection (e)(2) of section 209 shall be one without a preamble, the matter after the resolving clause of which is as follows: "That pursuant

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to section 209(e) of the Military Construction Appropriations Act, 1987, the Congress disapproves the provision of any assistance to the Nicaraguan democratic resistance pursuant to title II of that Act, other than the assistance provided for in section 209(b)(1).".

(b) A joint resolution described in subsection (a) shall be considered in the House of Representatives and in the Senate in accordance with the provisions of paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473), except that—

(1) references in such paragraphs to a joint resolution shall be deemed to be references to the respective joint resolution set forth in subsection (a);

(2) references in such paragraphs to the Committee on Appropriations shall be deemed to be references to the appropriate committee or committees of the respective House of Congress;

(3) references in such paragraphs to the eighth day and to fifteen calendar days shall be deemed to be references to the fifth day and to five calendar days, respectively; and

(4) debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours.

(c) The provisions of this section are enacted—

(1) as exercises of the rulemaking powers of the House of Representatives and Senate, and as such they are deemed a part of the Rules of the House and the Rules of the Senate, respectively, but applicable only with respect to the procedure to be followed in the House and the Senate in the case of joint resolutions under section 209, and they supersede other rules only to the extent that they are inconsistent with such rules; and

(2) with full recognition of the constitutional right of the House and the Senate to change their rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House or Senate, and of the right of the Committee on Rules of the House of Representatives to report a resolution for the consideration of any measure.

COMMISSION ON CENTRAL AMERICAN NEGOTIATIONS

SEC. 211. (a)(1) There is established the Commission on Central American Negotiations (hereafter in this section referred to as the "Commission"), which shall be composed of five members appointed as follows:

(A) One individual appointed by the Speaker of the House of Representatives;

(B) One individual appointed by the Minority Leader of the House of Representatives;

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(C) One individual appointed by the Majority Leader of the Senate;

(D) One individual appointed by the Minority Leader of the Senate; and

(E) One individual, who shall serve as Chairman of the Commission, selected by majority vote of the other members of the Commission.

(2) Appointments pursuant to subparagraphs (A) through (D) of paragraph (1) shall be made within 5 days after the date of enactment of this title. The Chairman of the Commission shall be selected pursuant to subparagraph (E) of paragraph (1) within 10 days after the date of enactment of this title.

(3) No officer or employee of the United States may be appointed as a member of the Commission.

(b) The purpose of the Commission is to monitor and report on—

(1) the efforts of the Nicaraguan democratic resistance to coordinate and reform;

(2) the extent to which the democratic countries of Latin America and Western Europe have joined the United States in efforts to politically and economically isolate or otherwise bring pressure on the Government of Nicaragua; and

(3) the status of any negotiations on the peace, stability, and security of Central America, including negotiations conducted between or among—

(A) the Government of Nicaragua and representatives of all elements of the Nicaraguan democratic opposition, including the Nicaraguan democratic resistance;

(B) the government of Central American countries;

(C) the Government of the United States and the Government of Nicaragua;

(D) the governments of the Contadora and Support Group countries and the governments of the Central American countries; and

(E) the Government of El Salvador and the insurgents in El Salvador.

(c)(1) The Commission may appoint and fix the pay of not more than seven staff personnel, but at rates not in excess of the rate of pay in effect for GS–18 of the General Schedule under section 5332 of title 5, United States Code.

(2)(A) Each member of the Commission shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day during which such member is engaged in the performance of duties as a member of the Commission.

(B) While away from their home or regular place of business in the performance of duties for the Commission, members and staff personnel of the Commission shall be allowed travel expenses, including a per diem in lieu of

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subsistence, not to exceed the expenses allowed persons employed intermittently in Government service under section 5703 of title 5, United States Code.

(3) For purposes of pay and other employment benefits, rights, and privileges and for all other purposes, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5, United States Code.

(d)(1) A majority of the members of the Commission shall constitute a quorum.

(2) All decisions of the Commission shall be by majority vote.

(e) The Commission may make such reports in connection with its duties as it deems necessary to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, except that—

(1) not later than 5 days after receipt by the Congress of a report by the President under section 209(c), the Commission shall prepare and transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report addressing all the matters which are required to be included in reports of the President by paragraphs (1), (3), (4), and (5) of section 212; and

(2) not later than September 24, 1986, the Commission shall prepare and transmit to the Congress a report on whether the Nicaraguan democratic resistance groups receiving assistance under this title have implemented the measures described in section 209(f)(1) and, with respect to the United Nicaraguan Opposition, an evaluation of the factors described in section 209(f)(2).

(f)(1) Salaries and expenses of the Commission, but not more than $400,000, shall be paid from the contingent fund of the Senate out of the Account for Miscellaneous Items, in accordance with the provisions of this section.

(2) Funds made available to the Commission by paragraph (1) shall be disbursed on vouchers approved by the Chairman, except that no voucher shall be required for the disbursement of the salary of an individual appointed under subsection (c).

(3) For purposes of section 502(b) of the Mutual Security Act of 1954, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to use of funds in accordance with such section.

(g) the Commission shall terminate not later than 30 days after transmittal of the reports required by subsections (e) (1) and (2).

PRESIDENTIAL REPORTING REQUIREMENT

SEC. 212. On September 15, 1986, and every 90 days thereafter, the President shall prepare and transmit to the

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Congress a report on actions taken to achieve a resolution of the conflict in Central America in a manner that meets the concerns described in section 203(a). Each such report shall include—

(1) a detailed statement of the status of negotiations toward a negotiated settlement of the conflict in Central America, including the willingness of representatives of the Nicaraguan democratic resistance and the Government of Nicaragua to negotiate a settlement;

(2) a detailed accounting of the disbursements made to provide assistance with the funds transferred under section 205(a);

(3) a discussion of alleged human rights violations by the Nicaraguan democratic resistance and the Government of Nicaragua, including a statement of the steps taken by the Nicaraguan democratic resistance to remove from their ranks any individuals who have engaged in human rights abuses;

(4) an evaluation of the progress made by the Nicaraguan democratic resistance in broadening its political base and defining a unified and coordinated program for achieving representative democracy in Nicaragua; and

(5) an evaluation of the extent to which the democratic countries of Latin America and Western Europe have joined the United States in efforts to politically and economically isolate or otherwise bring pressure on the Government of Nicaragua.

ACCOUNTABILITY FOR FUNDS

SEC. 213. The President shall establish appropriate procedures to ensure that any assistance provided to the Nicaraguan democratic resistance under this title is used only for the intended purpose and is not diverted (through barter, exchange, or other means) to any other use. Such procedures shall include procedures to—

(1) establish the allowability of goods and services,

(2) establish the validity of suppliers,

(3) establish the reasonableness of prices on receipts,

(4) verify the delivery and receipt of goods and services,

(5) verify use to ensure goods are not diverted, and

(6) ensure that payments are made to suppliers.

ADDITIONAL ECONOMIC ASSISTANCE FOR CENTRAL AMERICAN DEMOCRACIES

Sec. 214. (a) The President shall transfer to the "ECONOMIC SUPPORT FUND" account for use pursuant to this section—

(1) $200,000,000 from the funds made available for "PROCUREMENT" by title IV of the Department of Defense Appropriation Act, 1984; and

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(2) $150,000,000 from the funds appropriated for "PROCUREMENT" by title III of the Department of Defense Appropriation Act, 1985 (as contained in Public Law 98-473).

Funds transferred pursuant to this subsection shall remain available for the same periods of time as they would have been available under the applicable appropriation Acts but for the enactment of this subsection.

(b) The President shall use the $350,000,000 made available pursuant to subsection (a) to provide assitance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to economic support fund assistance) for the countries of Central America with democratically-elected governments, as follows:

(1) $100,000,000 shall be used for assistance for Guatemala.

(2) $75,000,000 shall be used for assistance for Costa Rica.

(3) $75,000,000 shall be used for assistance for Honduras.

(4) $50,000,000 shall be used for assistance for El Salvador. In the use of any of these funds pursuant to paragraph (5)(B)—

(A) prefernece shall be given to the import needs of the beneficiaries of agrarian reform, and

(B) the local currencies generated shall be used for projects described in section 702(e)(2) of the International Security and Development Cooperation Act of 1985 (and local currencies, not less than 50 percent to be used to support agrarian reform and not less than 10 percent shall be used for judicial reform).

(5) Of the funds made available pursuant to this section for each of the countries specified in paragraphs (1) through (4)—

(A) not less than 60 percent shall be used for assistance in accordance with the policy direction, purposes, and authorities of chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance); and

(B) the remainder shall be used in a manner which will generate local currencies for use in accordance with those policy directions, purposes, and authorities.

(6) $5,000,000 shall be for assistance for Belize.

(7) $25,000,000 shall be used for activities carried out in Central America in accordance with section 104(c)(2) of the Foreign Assistance Act of 1961 (relating to the Child Survival Fund) that are administered by the United Nations Children's Fund.

(8) $20,000,000 shall be availabe for operating expenses of the Agency for International Development with respect to the assistance pursuant to this section.

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(c) The assistance pursuant to this section shall be in addition to the amounts of assistance allocated for the countries specified in subsection (b) in the January 1986 allocation report pursuant to section 653 of the Foreign Assistance Act of 1961.

(d) Assistance pursuant to this section shall be provided consistent with the policies contained in section 702 of the International Security and Development Cooperation Act of 1985 (relating to El Salvador), section 703 of that Act (relating to Guatemala), and chapter 6 of part I of the Foreign Assistance Act of 1961 (relating to the Central America Democracy, Peace, and Development Initiative).

(e) Funds made available for assistance pursuant to this section may be obligated only in accordance with the congressional notification procedures applicable under section 634A of the Foreign Assistance Act of 1961.

The following are the amendments made in order under House Resolution 481.

AN AMENDMENT TO BE OFFERED BY MR. EDWARDS OF OKLAHOMA OR HIS DESIGNEE

Strike out title II (as added to the bill pursuant to House Resolution 481) and insert in lieu thereof the following:

TITLE II—CENTRAL AMERICA

PURPOSES

SECTION 1. The purposes of this title are to promote economic and political development, peace, stability and democracy in Central America, to encourage a negotiated resolution of the conflict in the region, and towards these ends, to enable the President to provide additional economic assistance for the Central American democracies as well as assistance for the Nicaraguan democratic resistance, subject to the terms and conditions of title.

POLICY TOWARD CENTRAL AMERICA

SEC. 2. (a) It is the policy of the United States that—

(1) the building of democracy, the restoration of peace, economic development, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States;

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America; and

(3) the September 1983 Contadora Document of Objectives, which sets forth a framework for negotiating

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a peaceful settlement to the conflict and turmoil in the region, is to be encouraged and supported.

(b) The United States strongly supports as essential to the objectives set forth in subsection (a)—

(1) a long-term commitment of economic assistance to the Central American democracies in amounts recommended by the National Bipartisan Commission on Central America;

(2) national reconciliation in Nicaragua and the creation of a framework for negotiating a peaceful, democratic settlement to the Nicaraguan conflict; and

(3) efforts to reach a comprehensive and verifiable final agreement based on the Contadora Document of Objectives, including efforts to encourage the Government of Nicaragua to pursue a dialogue with the representatives of all elements of the Nicaraguan democratic opposition for the purpose of achieving a democratic political settlement of the conflict, including free and fair elections.

POLICY TOWARD THE GOVERNMENT OF NICARAGUA

SEC. 3. (a) United States policy toward the Government of Nicaragua shall be based upon that government's responsiveness to continuing concerns affecting the national security of the United States and Nicaragua's neighbors about—

(1) Nicaragua's close military and security ties to Cuba and the Soviet Union and its Warsaw Pact allies, including the presence in Nicaragua of military and security personnel from those countries and allies;

(2) Nicaragua's buildup of military forces in numbers disproportionate to those of its neighbors and equipped with sophisticated weapons systems and facilities designed to accommodate even more advanced equipment;

(3) Nicaragua's unlawful support for armed subversion and terrorism directed against the democratically elected governments of other countries;

(4) Nicaragua's internal repression and lack of opportunity for the exercise of civil and political rights which would allow the people of Nicaragua to have a meaningful voice in determining the policies of their government through participation in regularly scheduled free and fair elections and the establishment of democratic institutions; and

(5) Nicaragua's refusal to negotiate in good faith for a peaceful resolution of the conflict in Central America based upon the comprehensive implementation of the September 1983 Contadora Document of Objectives and, in particular, its refusal to engage in a serious national dialogue with all elements of the Nicaraguan democratic opposition.

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(b) The United States will address the concerns described in subsection (a) through economic, political, and diplomatic mesures (including efforts to secure the cooperation of other democratic nations in such measures), as well as through support for the Nicaraguan democratic resistance. In order to assure every opportunity for a peaceful resolution of the conflict in Central America, the United States will—

(1) engage in bilateral discussions with the Government of Nicaragua with a view toward facilitating progress in achieving a peaceful resolution of the conflict, if the Government of Nicaragua simultaneously engages in a serious dialogue with representatives of all elements of the Nicaraguan democratic opposition; and

(2) limit the types and amounts of assistance provided to the Nicaraguan democratic resistance and take other positive action in response to steps taken by the Government of Nicaragua toward meeting the concerns described in subsection (a).

(c) The duration of bilateral discussions with the Government of Nicaragua and the implementation of additional measures under subsection (b) shall be determined, after consultation with the Congress, by reference to Nicaragua's actions in response to the concerns described in subsection (a). Particular regard will be paid to whether—

(1) freedom of speech, assembly, religion, and political activity are being respected in Nicaragua and progress is being made toward the holding of regularly scheduled free and fair elections;

(2) there has been a halt to the flow of arms and the introduction of foreign military personnel into Nicaragua, and a withdrawal of all foreign military personnel has begun;

(3) a cease-fire with the Nicaraguan democratic resistance is being respected; and

(4) Nicaragua is refraining from acts of aggression, including support for insurgency and terrorism in other countries.

(d) The actions by the United States under this title in response to the concerns described in subsection (a) are consistent with the right of the United States to defend itself and to assist its allies in accordance with international law and treaties in force. Such actions are directed, not to determine the form or composition of any government of Nicaragua, but to achieve a comprehensive and verifiable agreement among Central American countries, based upon the 1983 Contadora Document of Objectives, including internal reconciliation within Nicaragua based upon democratic principles, without the use of force by the United States.

(e) Notwithstanding any other provision of this title, no member of the United States Armed Forces or employee of any department, agency, or other component of the United

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States Government may enter Nicaragua to provide military advice, training, or logistical support to paramilitary groups operating inside that country. Nothing in this title shall be construed as authorizing any member or unit of the Armed Forces of the United States to engage in combat against the Government of Nicaragua.

POLICY TOWARD THE NICARAGUAN DEMOCRATIC RESISTANCE

SEC. 4. (a) It is the policy of the United States to assist all groups within the Nicaraguan democratic resistance which—

(1) are committed to work together for democratic national reconciliation in Nicaragua based on the document issued by the six Nicaraguan opposition parties on February 7, 1986, entitled "Proposal to the Nicaraguan Government for a Solution to the Crisis in Our Country"; and

(2) respect international standards of conduct and refrain from violations of human rights or from other criminal acts.

(b) No assistance under this title may be provided to any group that retains in its ranks any individual who has been found to engage in—

(1) gross violations of internationally recognized human rights (as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961); or

(2) drug smuggling or significant misuse of public or private funds.

(c)(1) It is recognized that the Nicaraguan democratic resistance has been broadening its representative base, through the forging of cooperative relationships between the United Nicaraguan Opposition (UNO) and other democratic resistance elements, and has been increasing the responsiveness of military forces to civilian leadership.

(2) The President shall use the authority provided by this title to further the develpments described in paragraph (1) and to encourage the Nicaraguan democratic resistance to take additional steps to strengthen its unity, pursue a defined and coordinated program for representative democracy in Nicaragua, and otherwise increase its appeal to the Nicaraguan people.

(d) In furtherance of the policy set out in this section, not less than $10,000,000 of the funds transferred by section 6(a) shall be available only for assistance to resistance forces otherwise eligible and not currently included within UNO, of which amount $5,000,000 shall be available only for the Southern Opposition Bloc (BOS) and $5,000,000 shall be available only for the Indian resistance force known as Misurasata.

ASSISTANCE OF THE CENTRAL AMERICAN DEMOCRACIES

SEC. 5. (a) There are hereby transferred to the President for assistance to the Central American democracies (Costa

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Rica, El Salvador, Guatamala, and Honduras) in accordance with the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $300,000,000 of unobligated funds from the accounts specified in subsection (b). Amounts transferred under this section shall be administered in accordance with the terms and conditions of chapter 6 of part I of the Foreign Assistance Act of 1961. Notwithstanding any other provision of law, funds made available by this section—

(1) shall be in addition to amounts previously appropriated for the fiscal year 1986 and allocated for assistance to Central American countries, and

(2) shall remain available for obligation until September 30, 1987, except that not less than $100,000,000 shall be obligated on or before September 30, 1986.

(b) Amounts made available by this section shall be transferred from such accounts as the President may designate for which appropriations were made by title II of the Foreign Assistance and Related Programs Appropriations Act, 1986, title IV of the Agriculture, Rural Development and Related Agencies Appropriations Act, 1986, (as contained in Public Law 99-190), and title II of the Urgent Supplemental Appropriations Act, 1985 (Public Law 99-10).

(c)(1) The Secretary of State, the Administrator of the Agency for International Development, and the Director of the Office of Management and Budget, shall—

(A) develop a plan for fully funding the assistance to the Central American democracies (Costa Rica, El Salvador, Guatemala, and Honduras) proposed in the January 1984 report of the National Bipartisan Commission on Central America; and

(B) provide a report describing this plan to the President and the Congress no later than March 1, 1987.

(2) The report required by paragraph (1) shall include an analysis and recommendations, prepared in consultation with the Secretary of Agriculture, on how more effective use can be made of agricultural commodities from the United States in alleviating hunger in Central America and contributing to the economic development of the Central American democracies.

(d)(1) There are hereby transferred to the President out of funds appropriated by the Supplemental Appropriations Act, 1985 (Public Law 99-88), under the heading "Assistance For Implementation of a Contadora Agreement" such sums as the President may require, but not more than $2,000,000, to facilitate the participation of Costa Rica, El Salvador, Guatemala, and Honduras in regional meetings and negotiations to promote peace, stability, and security in Central America.

(2) Funds transferred under paragraph (1) shall remain available for the same period of time as such funds would have been available under the Supplemental Appropria-

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tions Act, 1985 (Public Law 99-88), but for the enactment of this title.

(e) The Congress reaffirms its support for the establishment of a Central American Development Organization, authorized by section 464 of the Foreign Assistance Act of 1961, as an effective forum for dialogue on, and the continuous review and advancement of, Central America's political, economic, and social development, including the strengthening of democratic pluralism and respect for internationally recognized human rights. Toward this end, not less than $750,000 of the funds transferred by this section should be used to establish the Central American Development Organization and its administrative apparatus so as to ensure that Central American development objectives are encouraged.

ASSISTANCE FOR THE NICARAGUAN DEMOCRATIC RESISTANCE

SEC. 6. (a)(1) The Congress hereby approves the provision of assistance for the Nicaraguan democratic resistance in accordance with the provisions of this title.

(2) There are hereby transferred to the President for the purposes of this section $100,000,000 of unobligated funds from such accounts for which appropriations were made by the Department of Defense Appropriations Act, 1986 (as contained in Public Law 99-190), as the President shall designate.

(b) Notwithstanding the Impoundment Control Act of 1974, not more than 40 percent of the funds transferred under subsection (a) may be available for obligation or expenditure in accordance with this title upon the date of its enactment; not more than an additional 20 percent of such funds may be so available no earlier than October 15, 1986, and 15 days after the transmittal to the Congress of the determination required by section 11(c); and not more than the remaining 40 percent may be so available no earlier than February 15, 1987, and 15 days after the transmittal to the Congress of the determination required by section 11(e).

(c) Funds transferred under subsection (a) shall remain available for the same periods of time, but not to exceed September 30, 1987, as such funds would have been available under the Department of Defense Appropriations Act, 1986 (as contained in Public Law 99-190), but for the enactment of this title.

COORDINATION OF AND ACCOUNTABILITY FOR ASSISTANCE TO THE NICARAGUAN DEMOCRATIC RESISTANCE

SEC. 7. (a) The Secretary of State (or his designee) shall be responsible for policy guidance, coordination, and supervision of United States Government activities under this title.

(b) Any agency to which funds transferred under section 6(a) are allocated shall establish standards, procedures and

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controls necessary to assure that such funds are fully accounted for and are used exclusively for the purposes authorized by this title. Such standards, procedures and controls shall be developed in consultation with the Comptroller General and the appropriate committees of the Congress, and shall include such safeguards as segregation of accounts, monitoring of deliveries, and requirements for the keeping of complete records available for audit by authorized representatives of the United States Government.

FUNDS FOR HUMANITARIAN ASSISTANCE

SEC. 8. (a) Of the amounts transferred under section 6(a), $30,000,000 shall be available only for the provision of humanitarian assistance to the Nicaraguan democratic resistance.

(b) Of the $30,000,000 made available only for purposes of subsection (a), $3,000,000 shall be available only for strengthening programs and activities of the Nicaraguan democratic resistance for the observance and advancement of human rights.

APPLICATION OF EXISTING LAWS

SEC. 9. (a) Except as otherwise provided in this title, funds transferred under section 6(a) shall be available for the purposes described in section 105(a) of the Intelligence Authorization Act for Fiscal Year 1986, and all the requirements, terms, and conditions of such section and sections 101 and 102 of such Act, section 502 of the National Security Act of 1947, and section 106 of the Supplemental Appropriations Act, 1985 (Public Law 99-88), shall be deemed to have been met for such use of such funds.

(b) The use of funds made available under this title is subject to all applicable provisions of law and established procedures relating to the oversight by the Congress of operations of departments and agencies.

(c) Nothing in this title shall be construed as permitting the President to furnish additional assistance to the Nicaraguan democratic resistance from funds other than the funds transferred under section 6(a) or otherwise specifically authorized by the Congress for assistance to the Nicaraguan democratic resistance.

(d) No limitation or restriction contained in section 10 of Public Law 91-672, section 8109 of the Department of Defense Appropriations Act, 1986, section 502 of the National Security Act of 1947, or any other provision of law shall apply to the transfer or use of funds transferred to the President under this title.

USE OF FUNDS AFTER A PEACEFUL SETTLEMENT

SEC. 10. If the President determines and so reports to the Congress that a peaceful settlement of the conflict in Central America has been reached, then—

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(1) the unobligated balance, if any, of funds transferred under section 6(a) shall be available for the purposes of relief, rehabilitation, and reconstruction in Central American countries in accordance with the authorities contained in chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to economic support fund assistance);

(2) the President shall terminate any economic embargo of Nicaragua then in effect; and

(3) the President shall take such further actions as are appropriate to carry out the policy described in section 2(a)(1) of this title with respect to all Central American countries, including Nicaragua.

INCENTIVES FOR A NEGOTIATED SETTLEMENT

SEC. 11. (a) Assistance to the Nicaraguan democratic resistance under this title shall be provided in a manner designed to encourage the Government of Nicaragua to respond favorably to the many opportunities available for achieving a negotiated settlement of the conflict in Central America. These opportunities include the following proposals:

(1) Six opposition Nicaraguan political parties on February 7, 1986, called for an immediate cease-fire, an effective general amnesty, abolition of the state of emergency, agreement on a new electoral process and general elections, effective fulfillment of international commitments for democratization, and observance of implementation of these actions and commitments by appropriate international groups and organizations;

(2) President Reagan on February 10, 1986, offered simultaneous talks between the Government of Nicaragua and all elements of the Nicaraguan democratic opposition in Nicaragua and between the Government of Nicaragua and the United States Government;

(3) President Jose Napoleon Duarte of El Salvador on March 5, 1986, offered an additional dialogue between the Government of El Salvador and the insurgents in El Salvador if the Government of Nicaragua would simultaneously engage in a dialogue with all elements of the Nicaraguan democratic opposition; and

(4) The United Nicaraguan Opposition on May 29, 1986, reiterated its support for the six-party proposal described in paragraph (1) as a means to achieve national reconciliation and democratization.

(b)(1) In furtherance of the objectives set forth in subsection (a), and except as provided in subsection (e), assistance to the Nicaraguan democratic resistance under this title shall be limited to the following:

(A) humanitarian assistance (as defined in section 722(g)(5) of the International Security and Development Cooperation Act of 1985);

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(B) logistics advice and assistance;

(C) support for democratic political and diplomatic activities;

(D) training, services, equipment and supplies for radio communications, collection, and utilization of intelligence, logistics, and small-unit skills, tactics and operations; and

(E) equipment and supplies necessary for defense against air attacks.

(2) The assistance described in paragraph (1) shall be limited, by type and value, to the matters specified in the classified annex to the communication from the President to the Speaker of the House of Representatives and the President of the Senate dated June 24, 1986.

(3) No weapons or ammunition shall be delivered under this title to the Nicaraguan democratic resistance prior to September 1, 1986.

(c) On and after October 15, 1986, an additional $20,000,000 of the funds transferred under section 6(a) may be made available for obligation and expenditure for assistance to the Nicaraguan democratic resistance 15 days after the President determines and reports to the Congress that—

(1) the Central American countries have not concluded a comprehensive and effective agreement based on the Contadora Document of Objectives;

(2) the Government of Nicaragua is not engaged in a serious dialogue with representatives of all elements of the Nicaraguan democratic opposition, accompanied by a cease-fire and an effective end to the existing constraints on freedom of speech, assembly, religion, and political activity, leading to regularly scheduled free and fair elections and the establishment of democratic institutions; and

(3) there is no reasonable prospect of achieving such agreement, dialogue, cease-fire, and end to constraints described in paragraphs (1) and (2) through further diplomatic measures, multilateral or bilateral, without additional assistance to the Nicaraguan democratic resistance.

(d)(1) Notwithstanding any other provision of this title, on or after October 15, 1986, funds transferred under section 6(a) may be obligated or expended only if the President determines and reports to the Congress that the Nicaraguan democratic resistance groups receiving assistance under this title have agreed to and are beginning to implement—

(A) confederation and reform measures to broaden their leadership base;

(B) the coordination of their efforts;

(C) the elimination of human rights abuses;

(D) the pursuit of a defined and coordinated program for achieving representative democracy in Nicaragua; and

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(E) the subordination of military forces to civilian leadership; and

(F) the application of rigorous standards, procedures and controls to assure that funds transferred under section 6(a) are fully accounted for and are used exclusively for the purposes authorized by this title.

(2) In making his determination under paragraph (1), the President shall take into account the effectiveness and legitimacy of the political leadership of those Nicaraguan democratic resistance groups receiving assistance under this title, including the ability of that political leadership—

(A) to reflect the views and objectives of the internal and external Nicaraguan democratic opposition;

(B) to function as the spokesman for the Nicaraguan democratic opposition with Central Americans, international organizations, and the United States Government;

(C) to represent the Nicaraguan democratic opposition in dealing with the Government of Nicaragua;

(D) to provide command and control for the military forces of all resistance groups receiving assistance under this title and to establish the goals for their military operations;

(E) to determine the distribution of and maintain accountability for assistance provided under this title; and

(F) to provide the legal mechanisms necessary for the enforcement of standards of conduct applicable to all members of the resistance groups receiving assistance under this title.

(e) On and after February 15, 1986, the restrictions in subsection (b) shall cease to apply and the remaining funds transferred under section 6(a) may be made available for obligation and expenditure for assistance to the Nicaraguan democratic resistance 15 days after the President determines and reports to the Congress that—

(1) the Central American countries have not concluded a comprehensive and effective agreement based on the Contadora Document of objectives;

(2) the Government of Nicaragua is not engaged in a serious dialog with representatives of all elements of the Nicaraguan democratic opposition, accompanied by a cease-fire and an effective end to the existing constraints of freedom of speech, assembly, religion, and political activity leading to regularly scheduled free and fair elections and the establishment of democratic institutions; and

(3) there is no reasonable prospect of achieving such agreement, dialog, cease-fire, and end to constraints described in paragraphs (1) and (2) through further diplomatic measures, multilateral or bilateral, without additional assistance to the Nicaraguan democratic resistance,

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unless the Congress has enacted a joint resolution under section 12 disapproving the provision of additional assistance (other than assistance described in subsection (b)(1) within the limits of funds previously made available).

(f)(1) Notwithstanding subsection (e), no assistance (other than the assistance described in subparagraphs (A) through (C) of subsection (b)(1)) shall be provided at any time to the Nicaraguan democratic resistance under this title if—

(A) the President determines that—

(i) the Central American countries have concluded a comprehensive and effective agreement based on the Contadora Document of Objectives; or

(ii) the Government of Nicaragua is engaging in a serious dialog with representatives of all elements of the Nicaragua democratic opposition, accompanied by a cease-fire and an effective end to the existing constraints on freedom of speech, assembly, religion, and political activity leading to regularly scheduled free and fair elections and the establishment of democratic institutions; or

(B) the Congress enacts a joint resolution under section 12 disapproving the provision of additional assistance (other than assistance described in subparagraphs (A) through (C) of subsection (b)(1)).

(2) The prohibition contained in paragraph (1) shall not apply—

(A) with respect to assistance described in subparagraph (D) of subsection (b)(1) if the Government of Nicaragua fails to observe an applicable cease-fire; or

(B) with respect to assistance described in subparagraph (E) of subsection (b)(1) if the Government of Nicaragua acquires additional equipment or materiel to carry out air attacks.

CONGRESSIONAL PRIORITY PROCEDURES

SEC. 12. (a)(1) A joint resolution described in subsection (e) of section 11 shall be one without a preamble, the matter after the resolving clause of which is as follows: "That the Congress disapproves the provision of additional assistance to the Nicaraguan democratic resistance pursuant to title of the Military Construction Appropriations Act, 1987, except as provided in section 11(b) thereof within the limits of funds previously made available.".

(2) A joint resolution described in subsection (f)(1)(B) of section 11 shall be one without a preamble, the matter after the resolving clause of which is as follows: "That the Congress disapproves the provision of additional assistance to the Nicaraguan democratic resistance pursuant to title of the Military Construction Appropriations Act, 1987, except as provided in subparagraphs (A) through (C) of section 11(b)(1) and paragraph (2) of section 11(f) thereof.".

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(b) A joint resolution described in subsection (a)(1) or (a)(2) shall be considered in the House of Representatives and in the Senate in accordance with the provisions of paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Pubic Law 98-473), except that—

(1) references in such paragraphs to a joint resolution shall be deemed to be references to the respective joint resolution set forth in subsection (a)(1) or subsection (a)(2);

(2) references in such paragraphs to the Committee on Appropriations shall be deemed to be references to the appropriate committee or committees of the respective House of Congress; and

(3) references in such paragraphs to the eighth day and to fifteen calendar days shall be deemed to be references to the fifth day and to five calendar days, respectively.

(c) The provisions of this section are enacted—

(1) as exercises of the rulemaking powers of the House of Representatives and Senate, and as such they are deemed a part of the Rules of the House and the Rules of the Senate, respectively, but applicable only with respect to the procedure to be followed in the House and the Senate in the case of joint resolutions under section 11, and they supersede other rules only to the extent that they are inconsistent with such rules; and

(2) with full recognition of the constitutional right of the House and the Senate to change their rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House or Senate, and of the right of the Committee on Rules of the House of Representatives to report a resolution for the consideration of any measure.

COMMISSION ON CENTRAL AMERICAN NEGOTIATIONS

SEC. 13. (a)(1) There is established the Commission on Central American Negotiations (hereafter in this section referred to as the "Commission"), which shall be composed of five members appointed as follows:

(A) One individual appointed by the Speaker of the House of Representatives;

(B) One individual appointed by the Minority Leader of the House of Representatives;

(C) One individual appointed by the Majority Leader of the Senate;

(D) One individual appointed by the Minority Leader of the Senate; and

(E) One individual, who shall serve as Chairman of the Commission, selected by majority vote of the other members of the Commission.

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(2) No officer or employee of the United States may be appointed as a member of the Commission.

(3) The appointments referred to in subparagraphs (A), (B), (C), and (D) of paragraph (1) shall be made within 5 calendar days following enactment of this title, and the selection of a chairman referred to in subparagraph (E) of paragraph (1) shall be made within 10 days following enactment of this title.

(b) The purpose of the Commission is to monitor and report on the efforts of the Nicaraguan democratic resistance to coordinate and reform and on the status of any negotiations on the peace, stability, and security of Central America, including negotiations conducted between or among—

(1) the Government of Nicaragua and all elements of the Nicaraguan democratic opposition, including the Nicaraguan democratic resistance;

(2) the governments of Central American countries;

(3) the Government of the United States and the Government of Nicaragua;

(4) the governments of the Contadora and Support Group countries and the governments of the Central American countries; and

(5) the Government of El Salvador and the insurgents in El Salvador.

(c)(1) The Commission may appoint and fix the pay of not more than seven staff personnel, but at such rates not in excess of the rate of pay for GS–18 of the General Schedule under section 5332 of title 5, United States Code.

(2)(A) Each member of the Commission shall be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day during which such member is engaged in the performance of duties as a member of the Commission.

(B) While away from his home or regular place of business in the performance of duties for the Commission, a member or staff personnel of the Commission shall be allowed travel expenses, including a per diem in lieu of subsistence, not to exceed the expenses allowed persons employed intermittently in Government service under section 5703 of title 5, United States Code.

(3) For purposes of pay and other employment benefits, rights, and privileges and for all other purposes, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5, United States Code.

(d)(1) A majority of the members of the Commission shall constitute a quorum.

(2) All decisions of the Commission shall be by majority vote.

(e) The Commission may make such reports in connection with its duties as it deems necessary to the Speaker of the House of Representatives and the chairman of the

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Committee on Foreign Relations of the Senate, except that—

(1) not later than 5 days after receipt by the Congress of a report by the President under section 14 the Commission shall prepare and transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report addressing all the matters which are required to be included in reports of the President by paragraphs (1), (3), and (4) of section 14; and

(2) not later than September 30, 1986, the Commission shall prepare and transmit to the Congress a report on whether the Nicaraguan democratic resistance groups receiving assistance under this title have agreed to and are beginning to implement measures described in subparagraphs (A) through (F) of section 11(d)(1) and an evaluation of the factors described in section 11(d)(2).

(f)(1) Salaries and expenses of the Commission, but not more than $400,000, shall be paid from the contingent fund of the Senate out of the Account for Miscellaneous Items, in accordance with the provisions of this section.

(2) Funds made available to the Commission by paragraph (1) shall be disbursed on vouchers approved by the Chairman, except that no voucher shall be required for the disbursement of the salary of an individual appointed under subsection (c).

(3) For purposes of section 502(b) of the Mutual Security Act of 1954, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to use of funds in accordance with such section.

(g) The Commission shall terminate not later than 90 days after transmittal of the reports required by subsection (e).

PRESIDENTIAL REPORTING REQUIREMENT

SEC. 4. The President shall prepared and transmit to the Congress with each determination required by section 11 a report on actions taken to achieve a resolution of the conflict in Central America in a manner that meets the concerns described in section 3(a). Each such report shall include—

(1) a detailed statement of the status of negotiations toward a negotiated settlement of the conflict in Central America, including the willingness of the Nicaraguan democractic resistance and the Government of Nicaragua to negotiate a settlement:

(2) a detailed accounting of the disbursements made to provide assistance with the funds transferred under section 6(a) and a detailed statement of how the accountability standards, procedures and controls established under section 7(b) and 11(d)(1)(F) are being implemented so as to assure that all such funds are fully

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accounted for and are being used exclusively for the purposes authorized by this title:

(3) a discussion of alleged human rights violations by the Nicaraguan democratic resistence and the Government of Nicaragua, including a statement of the steps taken by the Nicaraguan democratic resistance to remove from their ranks any individuals who have engaged in human rights abuses; and

(4) An evaluation of the progress made by the Nicaraguan democratic resistance in broadening its political base and defining a unified and coordinated program for achieving representative democracy in Nicaragua.

REQUESTS FOR ADDITIONAL ASSISTANCE

SEC. 15. The provisions of subsections (s) and (t) of section 722 of the International Security and Development Cooperation Act of 1985 shall apply—

(1) with respect to any request described in section 722(p) of such Act submitted by the President to the Congress on or after the date of enactment of this title, and

(2) with respect to any request by the President for additional economic assistance for the Central American democracies to carry out recommendations contained in the report required by section 5(c)(1)(B) (in which case references to a joint resolution in subsections (s) and (t) of section 722 of such Act shall be deemed to be references to a joint resolution without a preamble, the matter after the resolving clause of which is as follows: "That the Congress approves the additional economic assistance for the Central American democracies that the President requested pursuant to title of the Military Construction Appropriation Act, 1987."),

except that, for purposes of consideration in a House of Congress of a joint resolution under subsection (s) or (t) of such section, amendments to such a joint resolution may be in order but only if such amendments are germane.

AN AMENDMENT TO BE OFFERED BY MR. HAMILTON OF INDIANA OR HIS DESIGNEE

Strike out title II (as added to the bill pursuant to House Resolution 481) and insert in lieu thereof the following:

TITLE II

UNITED STATES POLICY IN CENTRAL AMERICA

SEC. 201. (a) The primary objectives of United States policy in Central America should be—

(1) to preserve the security of the United States;

(2) to prevent the Soviet Union and its allies from seeking to destabilize the region or to develop or

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deploy an offensive military capability which directly threatens the United States;

(3) to achieve peace and reconciliation;

(4) to promote stability and economic development;

(5) to promote the observance of human rights and the strengthening of democratic processes; and

(6) to live at peace with Nicaragua so long as Nicaragua lives at peace with its neighbors.

(b) United States strategy for achieving the objectives stated in subsection (a) should include—

(1) an emphasis on seeking a negotiated, regional settlement;

(2) respect for the independence and territorial integrity of all nations;

(3) a clear commitment, through appropriate types and levels of military and economic assistance, to assist the nations of Central America in building and sustaining viable, democratic societies capable of withstanding aggression and subversion and of providing their people with an opportunity for better lives; and

(4) consistent diplomatic support on behalf of the observance of human rights by groups and governments, and support for democratic institutions throughout the region, in recognition of the fact that subversion feeds on repression.

(c) In furtherance of the objectives stated in subsection (a), United States policy with respect to Nicaragua should include the following:

(1) A commitment to preserve the security of the United States by preventing the Soviet Union and its allies from developing or deploying an offensive military capability in Central America that directly threatens the United States.

(2) A commitment to protect the security and territorial integrity of any nation of Central America in conformance with the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance, which provide for collective action.

(3) Pursuit of a regional settlement through all diplomatic avenues, including—

(A) effective support for the Contadora process, which is addressing the questions of peace and security (including mechanisms for verification and enforcement) and internal reconciliation and political pluralism;

(B) giving priority to obtaining a ceasefire in Nicaragua;

(C) renewing bilateral talks with Nicaragua; and

(D) encouraging direct talks among the parties to the conflict in Nicaragua.

(4) The provision of incentives to Nicaragua if the Government of Nicaragua agrees to a ceasefire with its opponents, removes foreign military advisors,

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agrees not to provide material support for insurgencies and agrees to appropriate monitoring procedures under Contadora auspices to verify such agreement, respects human rights and the independence of the media, and makes progress toward national reconciliation and a pluralistic democratic system. Incentives should be structured to enable the United States to respond to positive steps by Nicaragua. These incentives could include—

(A) the suspension of United States military exercises in the region;

(B) the termination of the national emergency with respect to Nicaragua which the President declared in Executive order 12513 on May 1, 1985, and termination of the United States embargo against Nicaragua instituted pursuant to that Executive order;

(C) the resumption of normal trade, including the resumption of nondiscriminatory trade treatment (MFN status), the restoration of benefits under the Generalized System of Preferences, and the restoration of Nicaragua's sugar quota;

(D) the provision of bilateral and multilateral assistance of Nicaragua and the provision of technical assistance, help in agriculture and health, and volunteer services; and

(E) the creation of a Central American Development Organization (in accordance with section 464 of the Foreign Assistance Act of 1961) in which Nicaragua could participate.

(5) The imposition of further sanctions against Nicaragua should it intensify or expand activities hostile to United States interests and to peace and security within Central America. Such sanctions could include obtaining the cooperation of our allies in Western Europe and Japan, now Nicaragua's largest trading partners, in—

(A) cutting trade with Nicaragua;

(B) stopping bilateral assistance and blocking multilateral assistance to Nicaragua;

(C) imposing comprehensive economic sanctions against Nicaragua;

(D) breaking diplomatic relations with Nicaragua; and

(E) working with our Latin American allies, especially those in Central America, to isolate Nicaragua in regional affairs.

Such sanctions can only be effective if taken together with our allies. Unilateral sanctions have not and will not be effective.

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SUPPORT FOR THE CONTADORA PROCESS

SEC. 202. (a) The Congress reaffirms its support for the Contadora initiatives and processes, particularly the principles for peace outlined in the Document of Objectives of September 9, 1983, and the Caraballeda Declaration of January 12, 1986. These include termination of support for irregular forces in the region, termination of support for insurrectionist movements in the region, negotiated limits on arms acquisitions, negotiated limits on international military maneuvers, progressive reduction toward elimination of foreign military advisers, effective steps toward national reconciliation and observance of human rights, commitment by the Central American nations to avoid aggression, and promotion of regional integration and cooperation.

(b) In accordance with the Caraballeda Declaration of January 12, 1986 (which was signed by the foreign ministers of all four Contadora nations and all four Contadora Support Group nations), and the Guatemala Declaration of January 16, 1986 (which was signed by all five Central American nations), the Congress urges the President to resume without preconditions direct bilateral talks with Nicaragua, which were suspended by the United States in January 1985.

(c) The Congress calls upon the President, in order to show support for the Contadora process, to announce that when all five Central American nations have signed an agreement based on the Contadora Document of Objectives, the United States will respond by taking positive steps, which could include—

(1) supporting and observing that agreement;

(2) limiting the scope, duration, and locale of United States military exercises in Central America to those allowed by that agreement; and

(3) terminating the national emergency with respect to Nicaragua which the President declared in Executive order 12513 on May 1, 1985.

ASSISTANCE IN SUPPORT OF THE REGIONAL PEACE PROCESS

SEC. 203. (a) The Congress urges the President to support the regional peace process in Central America with diplomatic and financial assistance.

(b)(1) The President is authorized and encouraged to use up to $5,000,000—

(A) to provide assistance to the Contadora nations of Mexico, Panama, Venezuela, and Columbia, and the Contadora Support Group nations of Argentina, Peru, Uruguay, and Brazil, to assist those nations in reaching agreement among the nations of Central America based on the Contadora Document of Objectives, including assistance for peacekeeping, verification, and monitoring systems; and

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(B) to help implement any joint border commission agreement between Nicaragua and Costa Rica, or between Nicaragua and Honduras, which those nations enter into in furtherance of the purposes of the Contadora Document of Objectives.

(2) In addition to funds transferred pursuant to section 205, the $2,000,000 appropriated under the heading "ASSISTANCE FOR IMPLEMENTATION OF A CONTADORA AGREEMENT" by the Supplemental Appropriations Act, 1985, may be used to carry out paragraph (1) of this subsection.

(c) In addition, the Congress urges the President, at such time as an agreement based on the Contadora Document of Objectives is signed by all five Central American nations, to request such funds as may be necessary to assist in the implementation of that agreement.

ASSISTANCE FOR HUMANITARIAN NEEDS AND RESETTLEMENT

SEC. 204. Up to $27,000,000 of the funds authorized to be transferred by section 205 may be made available for use as follows:

(1) Except for amounts used pursuant to paragraph (2), these funds shall be used to provide food, medicine, or other assistance for the humanitarian needs of those who have been displaced by conflict in Nicaragua, regardless of whether they have been associated with the Nicaraguan opposition forces. Assistance under this paragraph may be provided only through the International Committee of the Red Cross or the United Nations High Commissioner for Refugees, and only upon that organization's determination that such assistance is necessary to meet humanitarian needs.

(2) Up to $15,000,000 of these funds may be used for the resettlement of members of the Nicaraguan opposition forces (and their families) who have terminated their military activities.

TRANSFER OF DOD FUNDS

SEC. 205. The President may transfer up to $30,000,000 of the funds appropriated by the Department of Defense Appropriations act, 1986 (as contained in Public Law 99-190), for use in carrying out section 203(b)(1) and section 204 of this Act. The funds transferred under this section may include funds that have been made available for obligation beyond September 30, 1986, as provided by law.

REPORTS ON USE OF FUNDS

SEC. 206. No less frequently than once every 3 months, the President shall submit to the Congress a written report containing an accounting of any funds used pursuant to section 203 or 204.

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NATIONAL COMMISSION ON CONTADORA

SEC. 207. (a) There is hereby established the National Commission on Contadora (hereafter in this section referred to as the "Commission"). The Commission shall—

(1) monitor and review the efforts of the Contadora nations to achieve a political resolution to the conflicts in Central America; and

(2) make recommendations with a view to building a consensus on United States policy toward Nicaragua.

(b) The Commission shall consist of an even number of members, such number to be determined jointly by the Speaker of the House of Representatives and the Minority Leader of the Senate, who shall each appoint half of the members of the Commission. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment.

(c) Not later than January 31, 1987, the Commission shall submit a report to the President and to the Congress with respect to its findings and recommendations. This report shall include—

(1) a detailed review of the status of the Contadora negotiations and United States support for those negotiations;

(2) a determination by the Commission of whether the Government of Nicaragua and the Nicaraguan opposition are facilitating the Contadora process;

(3) a recommendation on policies toward Nicaragua which the Commission believes represent a consensus that is sustainable and is supportable by the American people; and

(4) a recommendation on policies which the Commission believes will enhance peace and security throughout Central America.

(d) Members of the Commission shall receive no compensation on account of their service on the Commission, but while away from their homes or regular places of business in the performance of their duties on the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(e)(1) The Commission may employ experts and consultants in accordance with section 3109 of title 5, United States Code.

(2) Upon a request by the Commission, the head of any Federal agency may temporarily assign employees of that agency to the Commission in carrying out this section.

(f) Administrator of General Services shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

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(g) Funds for the expenses incurred by the Commission in carrying out this section, including travel expenses, shall be provided by Secretary of State.

PRESIDENTIAL REQUEST FOR ADDITIONAL AUTHORITY WITH RESPECT TO NICARAGUA

SEC. 208. (a) After considering the recommendations of the National Commission on Contadora contained in the report submitted pursuant to section 207(c), the President may submit to the Congress on or after January 31, 1987, a request for authority to take specified actions with respect to Nicaragua. The request must be accompanied by—

(1) the President's assurance that he has consulted with the Contadora nations and the Contadora Support Group nations concerning the proposed actions; and

(2) a description of the response of the Contadora nations and the Contadora Support Group nations to the proposed actions.

(b)(1) The provisions of this subsection apply, during the first session of the 100th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (a).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (a)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby authorizes the President, notwithstanding any other provision of law, to take those actions with respect to Nicaragua which are specified in the request submitted to the Congress pursuant to title II of the Military Construction Appropriations Act, 1987.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Nicaragua pursuant to title II of the Military Construction Appropriations Act, 1987.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member

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of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rules XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the Rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules to any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

AN AMENDMENT TO BE OFFERED BY MR. BARNES OF MARYLAND OR HIS DESIGNEE

[Version if the Edwards Amendment is adopted and the Hamilton Amendment is rejected]

At the end of title II (as added to the bill pursuant to House Resolution 481) as amended by the amendment by Mr. Edwards of Oklahoma, add the following:

ACCOUNTING FOR PREVIOUS ASSISTANCE

SEC. 16. (a) Notwithstanding any other provision of this title, funds made available by this title may be obligated

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for assistance for the Nicaraguan democratic resistance only after the President submits to the Congress a report containing the following with respect to the funds previously made available for assistance for the Nicaraguan democratic resistance that are described in subsection (b):

(1) Information establishing that the goods or services for which any such funds were paid on behalf of the Nicaraguan Humanitarian Assistance Office were actually received by the intended recipients, specifically including any information showing that the invoices and receipts provided to the Nicaraguan Humanitarian Assistance Office are legitimate records of transactions. To the extent that such information is not available, an explanation of why it is not available.

(2) Information establishing that the suppliers of those goods or services were actually paid with those funds, specifically including any information showing that the invoices and receipts provided to the Nicaraguan Humanitarian Assistance Office are legitimate records of transactions. To the extent that such information is not available, an explanation of why it is not available.

(3) Information concerning disbursements from the bank accounts to which any such funds were paid, specifically including the identity of the individuals and entities to whom those disbursements were made and the relationship of those individuals and entities to the goods and services with respect to which those funds were paid on behalf of the Nicaraguan Humanitarian Assistance Office.

(4) Information concerning any currency transactions entered into with funds in any bank account to which any such funds were paid, including information on the use of any profits derived from such transactions.

(5) Any possible violations of United States law which have been identified with respect to any such funds.

(6) An explanation of any payments, made from the bank accounts to which any such funds were paid, to any government official (including a member of the armed forces), candidate for political office or political leader of any country in Central America or to any relative of any such official.

(7) An explanation of each instance in which there are discrepancies beween the amount of any such funds paid into a bank account and the amount of payments made to suppliers from that account.

(b) The funds referred to in subsection (a) are the $27,000,000 appropriated for "HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE" by the Supplemental Appropriations Act, 1985 (Public Law 99-88), except for any such funds that (1) were paid to suppliers for purchases within the United States and (2) were not

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deposited in bank accounts into which any such funds for purchases outside the United States were also deposited.

(c) The report submitted pursuant to subsection (a) must also include assurances that—

(1) the Government of the United States, and

(2) the government of any foreign country in which assistance is delivered which was paid for with the funds described in subsection (b) or with funds transferred pursuant to section 205(a),

will permit visits to that foreign country by employees of the United States General Accounting Office and by employees of the United States Congress for purposes of verifying the delivery of such assistance.

(d) The report submitted pursuant to subsection (a) shall also include full and complete information on the involvement, if any, of members of the Nicaraguan democratic resistance in drug smuggling.

AN AMENDMENT TO BE OFFERED BY MR. BARNES OF MARYLAND OR HIS DESIGNEE

[Version if the Edwards and Hamilton Amendments are rejected]

At the end of title II (as added to the bill pursuant to House Resolution 481) add the following:

ACCOUNTING FOR PREVIOUS ASSISTANCE

SEC. 215. (a) Notwithstanding any other provision of this title, funds made available by this title may be obligated for assistance for the Nicaraguan democratic resistance only after the President submits to the Congress a report containing the following with respect to the funds previously made available for assistance for the Nicaraguan democratic resistance that are described in subsection (b):

(1) Information establishing that the goods of services for which any such funds were paid on behalf of the Nicaraguan Humanitarian Assistance Office were actually received by the intended recipients, specifically including any information showing that the invoices and receipts provided to the Nicaraguan Humanitarian Assistance Office are legitimate records of transactions. To the extent that such information is not available, an explanation of why it is not available.

(2) Information establishing that the Information establishing that the suppliers of those goods or services were actually paid with those funds, specifically including any information showing that the invoices and receipts provided to the Nicaraguan Humanitarian Assistance Office are legitimate records of transactions. To the extent that such information is not available, an explanation of why it is not available.

(3) Information concerning disbursements from the bank accounts to which any such funds were paid, specifically including the identity of the individuals and

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entities to whom those disbursements were made and the relationship of those individuals and entities to the goods and services with respect to which those funds were paid on behalf of the Nicaraguan Humanitarian Assistance Office.

(4) Information concerning any currency transactions entered into with funds in any bank account to which any such funds were paid, including information on the use of any profits derived from such transactions.

(5) Any possible violations of United States law which have been identified with respect to any such funds.

(6) An explanation of any payments, made from the bank accounts to which any such funds were paid, to any government official (including a member of the armed forces), candidate for political office or political leader of any country in Central America or to any relative of any such official.

(7) An explanation of each instance in which there are discrepancies between the amount of any such funds paid into a bank account and the amount of payments made to suppliers from that account.

(b) The funds referred to in subsection (a) are the $27,000,000 appropriated for "HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE" by the Supplemental Appropriations Act, 1985 (Public Law 99-88), except for any such funds that (1) were paid to suppliers for purchases within the United States and (2) were not deposited in bank accounts into which any such funds for purchases outside the United States were also deposited.

(c) The report submitted pursuant to subsection (a) must also include assurances that—

(1) the Government of the United States, and

(2) the government of any foreign country in which assistance is delivered which was paid for with the funds described in subsection (b) or with funds transferred pursuant to section 205(a),

will permit visits to that foreign country by employees of the United States General Accounting Office and by employees of the United States Congress for purposes of verifying the delivery of such assistance.

(d) The report submitted pursuant to subsection (a) shall also include full and complete information on the involvement, if any, of members of the Nicaraguan democratic resistance in drug smuggling.

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AN AMENDMENT TO BE OFFERED BY MR. MRAZEK OF NEW YORK OR HIS DESIGNEE

[Version if the Edwards Amendment is adopted and the Hamilton Amendment is rejected]

At the end of title II (as added to the bill pursuant to House Resolution 481) as amended by the amendment by Mr. Edwards of Oklahoma, add the following:

LIMITATION ON PARTICIPATION OF UNITED STATES GOVERNMENT PERSONNEL IN DELIVERY OF ASSISTANCE

SEC. 16. (a) United States Government personnel may not provide any training or other service, or otherwise participate directly or indirectly in the provision of any assistance, to the Nicaraguan democratic resistance pursuant to this title within those land areas of Honduras and Costa Rica which are within 20 miles of the border with Nicaragua.

(b) As used in this section, the term "United States Government personnel" means—

(1) any member of the United States Armed Forces who is on active duty or is performing inactive duty training; and

(2) any employee of any department, agency, or other component of the executive branch of the United States Government;

but does not include any officer or employee of the United States General Accounting Office of any employee of the Inspector General of the Department of State and the Foreign Service who is carrying out inspections, investigations, or audits with respect to assistance for the Nicaraguan democratic resistance pursuant to this title.

AN AMENDMENT TO BE OFFERED BY MR. MRAZEK OF NEW YORK OR HIS DESIGNEE

[Version if the Edwards and Hamilton Amendments are rejected]

Add the following at the end of title II (as added pursuant to House resolution 481):

LIMITATION ON PARTICIPATION OF UNITED STATES GOVERNMENT PERSONNEL IN DELIVERY OF ASSISTANCE

SEC. 215. (a) United States Government personnel may not provide any training or other service, or otherwise participate directly or indirectly in the provision of any assistance, to the Nicaraguan democratic resistance pursuant to this title within those land areas of Honduras and Costa Rica which are within 20 miles of the border with Nicaragua.

(b) As used in this section, the term "United States Government personnel" means—

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(1) any member of the United States Armed Forces who is on active duty or is performing inactive duty training; and

(2) any employee of any department, agency, or other component of the executive branch of the United States Government;

but does not include any officer or employee of the United States General Accounting Office or any employee of the Inspector General of the Department of State and the Foreign Service who is carrying out inspections, investigations, or audits with respect to assistane for Nicaraguan democratic resistance pursuant to this title.

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